
In re Application of: Oldham et al

Group Art Unit: 3628

Serial No.: 09/492,961

Filed: 01/28/2000

Examiner: Nguyen, Nga B.

For: AUTOMATED METHOD AND SYSTEM FOR CONDUCTING
A CATTLE AUCTION

Commissioner of Patents and Trademarks
P.O. Box 1450
Arlington, VA 22313-1450

Response to Office Action

1. This Response to Office Action is in response to the Office Action mailed February 9, 2007.
2. Claims 1-28 are allowed.

§103 Rejections

3. Applicant respectfully traverses the rejection of claims 29-43. The cited references do not teach the current invention.
4. The references of Curkendall, Cobb, and Morrisson are not reasonably combined. Curkendall relates to a method and apparatus for livestock data collection and management. Cobb relates to a method for encouraging purchasers of pets or other types of animals to register animals with a genealogical or breed registry. Cobb does not relate to livestock auctions. Morrison describes online auctions.

Claims 29-37 and 38-43

5. The examiner cites Curkendall (column 16, lines 5-32; column 11, lines 15-20; column 12, lines 25-26) as teaching

providing said seller with a plurality of required guidelines for processing at least one animal prior to said auction, said required guidelines comprising: at least one required vaccination, at least one required treatment to said animal, at least one required health record, and a required weaning date for said at least one animal that is a least forty five days prior to said auction;

The cited sections do not teach providing a seller with guidelines for processing an animal prior to an auction:

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EXAMPLE

A Paper-Based Embodiment

FIG. 1 illustrates a paper-based embodiment of the BeefLink data collection software. In this case, animal identification would be obtained from a visual tag, such as an ear tag, and that visual identification would be written on a paper log 14. All event data and measurement data would be recorded on the log sheet and then entered by keyboard into the BeefLink software running on the host computer 10. The modem 12 in this embodiment permits the host computer to establish data transfer capability with other computer, and the removable disk 13 provides a data backup capability.

Although the data entry would be cumbersome for large numbers of animals, this paper system may be more affordable for smaller producers.

The producer may elect to install only visual identification or to install a tag that is both visual and RFID.

If an RFID transponder was attached to an animal, the producer would be responsible for manually entering the code to the computer, so that the code would be correlated to the visual tag identification.

Alternately, it is possible to operate the BeefLink software on the basis of the visual identification, or preferably a longer, unique identification key assigned to the animal. In that event, an RFID device may be attached downstream, and the new RFID code would be assigned to the animal.

1 Abort

2 Assess Animal

15

3 Assess Animal-Health

4 Assess Animal-Sick

5 Assign Value

6 Birth

20

25 66 Treat

67 Vaccinate

6. The examiner cites Cobb for processing a complete and signed certification form for a cattle auction which certifies that said at least one animal was processed in accordance with said required processing guidelines; and providing said buyer with at least a portion of said collected information and information regarding said certification as claimed in Claim 29.

The examiner cites Cobb for submitting a signed certification form for a cattle auction which certifies that said at least one animal was processed in accordance with said required processing guidelines as claimed in Claim 38.

Cobb teaches a breed registration form for dogs, where the seller signs the registration form. However this registration form is limited to information about the genealogy of the dog; the date of birth of the dog; a name of the dog; an optional microchip number for the dog; and the identity of the seller and buyer. No information is provided about the health of the dog, such as vaccination history. No information is provided about the background conditioning of the dog prior to sale. There is no suggestion in Cobb that the animal has been processed according to specified auction guidelines before the sale. Cobb does not teach livestock auctions. The seller is not signing the registration form to certify that pre-sale processing guidelines have been followed. Data is not provided to support required pre-sale processing guidelines. Cobb's registration form is not a certification form as described in the current application. This certification is important, because, unlike dogs, the cattle are food animals which will be further processed by the buyers (and subsequent buyers) and will eventually be consumed. The certification process helps ensure animal health, helps to avoid unnecessary treatments such as excess antibiotics, and provides information that may be used in subsequent investigation or analysis. Cobb's registration form presumably supports a higher value for a dog because of proof of its genealogy or breed. One skilled in the art could presumably extend Cobb's teachings to perform a similar breed registration or proof of genealogy in cattle. However, proof of breed is not the essence of the current invention. In the current invention, the improved value to the seller and buyer is due to the certification (and supporting data) that pre-sale processing guidelines have been followed. The

current invention's combination of auction sale, pre-certification guidelines, individual animal identification, certification form, pre-certification data collection, and electronic databases is not obvious in view of the prior art cited by the examiner.

7. Claims 30-37 are dependent on claim 29.
8. Claims 39-43 are dependent on claim 38.
9. Applicant urges that all claims are in condition for allowance.

Thank you for your continued assistance in this application.

Dated: May 9, 2007

Respectfully submitted,

/Rick B. Yeager/

Rick B. Yeager
Attorney at Law
10805 Mellow Lane
Austin, Texas 78759
Registration No. 39,434
Telephone (512) 918-1237
Facsimile (512) 918-1238
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